



April 6, 2001

ENGROSSED SENATE BILL No. 361

DIGEST OF SB 361 (Updated March 28, 2001 10:29 AM - DI 87)

Citations Affected: IC 4-13; IC 4-20.5.

Synopsis: State contract approvals. Repeals the requirement that the governor or the governor's designee approve state contracts for the acquisition of real property. Provides that the director of the budget agency is not required to approve a contract for public works if the estimated cost of the contract is less than \$100,000.

Effective: July 1, 2001.

Lawson C, Howard

(HOUSE SPONSORS — LYTLE, FOLEY)

January 16, 2001, read first time and referred to Committee on Public Policy.
February 8, 2001, amended, reported favorably — Do Pass.
February 12, 2001, read second time, amended, ordered engrossed.
February 13, 2001, engrossed.
February 15, 2001, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 26, 2001, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.
April 5, 2001, reported — Do Pass.

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ES 361—LS 7611/DI 44+



April 6, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 361

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-13-2-14.1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14.1. (a) A contract to
3 which a state agency is a party must be approved by the following
4 persons:
5 ~~(1) The head of the agency.~~
6 ~~(2) (1)~~ The commissioner of the Indiana department of
7 administration.
8 ~~(3) (2)~~ The director of the budget agency. The director of the
9 budget agency is not required to approve a contract:
10 (A) for supplies under IC 5-22, unless the budget agency is
11 required to approve the contract under rules or written policies
12 adopted under IC 5-22; or
13 (B) for public works under IC 4-13.6, if the estimated cost of
14 the contract is less than ~~twenty-five~~ **one hundred** thousand
15 dollars ~~(\$25,000).~~ **(\$100,000).**
16 ~~(4) (3)~~ The attorney general, as required by section 14.3 of this
17 chapter.

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1 ~~(5) The governor, if the contract involves:~~

2 ~~(A) the sale, purchase, or lease of real property; or~~

3 ~~(B) a public works project with an estimated cost of one~~
4 ~~hundred thousand dollars (\$100,000) or more.~~

5 (b) Each of the persons listed in subsection (a) may delegate to
6 another person the responsibility to approve contracts under this
7 section. The delegation must be in writing and must be filed with the
8 Indiana department of administration.

9 (c) The Indiana department of administration may adopt rules under
10 IC 4-22-2 to provide for electronic approval of contracts. Rules adopted
11 under this subsection must provide for the following:

12 (1) Security to prevent unauthorized access to the approval
13 process.

14 (2) The ability to convert electronic approvals into a medium
15 allowing persons inspecting or copying contract records to know
16 when approval has been given.

17 The rules adopted under this subsection may include any other
18 provisions the department considers necessary.

19 (d) The Indiana department of administration shall maintain a file
20 of information concerning contracts and leases to which a state agency
21 is a party.

22 SECTION 2. IC 4-20.5-3-3 IS REPEALED [EFFECTIVE JULY 1,
23 2001].

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COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 361, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 9.

Page 3, line 10, delete "2." and insert "1."

Page 3, line 17, after "(3)" insert "(2)".

Page 3, line 17, reset in roman "The director of the budget agency. The director of the budget".

Page 3, reset in roman lines 18 through 24.

Page 3, line 25, delete "(2)" and insert "(3)".

and when so amended that said bill do pass.

(Reference is to SB 361 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 10, Nays 0.

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SENATE MOTION

Mr. President: I move that Senate Bill 361 be amended to read as follows:

Page 1, line 14, strike "twenty-five" and insert "**one hundred**".

Page 1, line 15, strike "(\$25,000)." and insert "**(\$100,000).**".

(Reference is to SB 361 as printed February 9, 2001.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred Senate Bill 361, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

KUZMAN, Chair

Committee Vote: yeas 12, nays 0.

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